

CITY OF ANGELS CITY COUNCIL MINUTES

Tuesday, May 3, 2011

Council Members Present: Jack Boeding (Mayor), Jack Lynch (Vice Mayor), Elaine Morris, Stuart Raggio and Roger Neuman

Staff Present: Richard Matranga, Dave Hanham, Vanessa Apodaca, Melisa Ralston and Mary Kelly

4:00 P.M. CALL TO ORDER

ADJOURN TO CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Police MOU, City Employee representatives – Vice Mayor Lynch
- B. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation. Significant Exposure to Litigation pursuant to subdivision (b) of Section 54956.9 (three cases)
- C. PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT - INTERIM CITY ADMINISTRATOR AND CITY ADMINISTRATOR
- D. PURSUANT TO CALIFORNIA CODE SECTION 54957: PERSONNEL MATTER - INTERIM CITY ADMINISTRATOR

6:00 p.m. RECONVENE TO REGULAR CITY COUNCIL MEETING

ACTION TAKEN IN CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Police MOU
Action taken: Council Member Neuman was appointed as negotiator as well as Vice Mayor Lynch
- B. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation. Significant Exposure to Litigation pursuant to subdivision (b) of Section 54956.9 (three cases)
Action taken: Direction given to attorney regarding one case. No action on remaining two cases.
- C. PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT - INTERIM CITY ADMINISTRATOR AND CITY ADMINISTRATOR
Action taken: Mary Kelly, Director of Administrative Services was appointed as Interim City Administrator for 60 days with a 15% increase in her present salary. Council Members Morris and Neuman were appointed to a selection committee for recruitment of City Administrator.
- D. PURSUANT TO CALIFORNIA CODE SECTION 54957: PERSONNEL MATTER - INTERIM CITY ADMINISTRATOR
Action taken: City Attorney given direction

ACTION TAKEN IN CLOSED SESSION OF APRIL 25, 2011

PURSUANT TO CALIFORNIA CODE SECTION 54957: Performance Evaluation – Interim City Administrator

Action taken: City Council declined to renew the City Administrator's Contract expiring May 17, 2011.

APPROVAL OF AGENDA

Council Member Lynch requested agenda items 3b and 3c be discussed in reverse order.

MOTION by Council Member Raggio, seconded by Council Member Lynch and carried 5-0 APPROVING THE AGENDA AS PRESENTED WITH CHANGE IN ORDER OF ITEMS 3a AND 3b

STAFF UPDATES

Dave Hanham – Planning Director

- Updated report included in packet.
- LAFCO sphere of influence discussion moving forward
- Façade Grant survey completed

Melisa Ralston – Finance Officer

- Met with Melisa Eads from CCOG regarding financial agreement. The City will be undertaking all of the CCOG's accounting.
- Budget meetings should begin next week.

Vanessa Apodaca – City Engineer

- W/WW pavement completed. There will be a future change order for metal work
- 2010 Sewer work to begin on the 16th.
- Slurry road work out to bid.

Mary Kelly – Director of Administrative Services

- Referenced the report included in the packet.

COUNCIL UPDATES

Council Member Morris

- Attended a special Central Sierra Planning Council meeting regarding budget issues.
- Attended Safety Services and Personnel/Finance

Council Member Neuman

- Attended Safety Services

Council Member Raggio

- Attended LAFCO and UPA

Council Member Lynch

- Attended Museum commission where there was discussion on the SER's program and the probable loss of 4 SER employees. Talk also regarding the museum taking over the Sam Choy Building
- Attended POA MOU meetings where it appears some progress is being made.
- Attended closed session on the 25th, LAFCO and Centennial committee meeting. The centennial committee will be spreading out activities over several months in 2012.
- Attended UPA - CPPA will be increasing their rate from 5.4 cents to 6.2 cents

Mayor Boeding

- Attended Personnel/Finance

PUBLIC COMMENTS

Larry Conrado – Calaveras County Fish & Game

- Reported on the kids fishing day to be held on May 7th at the Veteran's Pool. Time is from 8:00am – 1:00pm and is free for toddlers to 8th graders.

Steve Difu – 576 Sasa

- Asked if the CPPA rate change is an increase in expense for the City. The Finance Officer said that it was an increase.
- Asked if the City Clerk had given a copy of the LLD engineer's road study to the City engineer. The clerk replied that she would look for it and get a copy to the engineer.
- Asked what City representatives would be serving the LLD Commission. Was told it would be the Mayor and City Clerk.

CONSENT AGENDA

MOTION by Council Member Lynch, seconded by Council Member Morris and carried 5-0 ADOPTING THE CONSENT AGENDA AS PRESENTED:

- a. Minutes of Regular meeting –April 19, 2011
- b. Approval of Guidi Boundary Line Adjustment

REGULAR MEETING

1. MUSEUM COMMISSION QUARTERLY UPDATE

Craig Hanley, Museum Administrator presented a PowerPoint showing the changes and additions he has made to the museum and staff since his hiring in February

2. CITY ADVISORY COMMITTEES: RESIDENCY REQUIREMENTS

- A. **MOTION** by Council Member Lynch, seconded by Council Member Morris and carried 5-0 to KEEP CHAPTER 2.44 OF THE MUNICIPAL CODE “PROCEDURES FOR APPOINTMENT OF ADVISORY BOARDS” UNCHANGED.
- B. **MOTION** by Council Member Lynch, seconded by Council Member Morris and carried 5-0 APPROVING AN AMENDMENT TO THE MUSEUM ORDINANCE, CHAPTER 2.50 OF THE MUNICIPAL CODE REQUIRING MEMBERSHIP CONSISTING OF 5 RESIDENTS FROM THE CITY OF ANGELS AND ALLOWING A MAXIMUM OF 2 NON-RESIDENTS FROM CALAVERAS COUNTY.

3. PLANNING COMMISSION INTERVIEWS AND APPOINTMENT

The Council interviewed 3 applicants for 2 seats on the Planning Commission: George Fry, Keith Bibee and Donna Griffin.

- A. **MOTION** by Council Member Lynch, seconded by Council Member Raggio and carried 5-0 REAPPOINT DONNA GRIFFIN TO SERVE A 3- YEAR TERM BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2014.
- B. **MOTION** by Council Member Morris, seconded by Council Member Raggio and carried 3-2 with Council Members Neuman and Lynch voting ‘NO’ APPOINTING GEORGE FRY TO SERVE THE REMAINING TERM OF VACATED SEAT EXPIRING JUNE 30, 2012.
Roll Call: Raggio {Yes}, Lynch {No}, Neuman {No}, Morris {Yes} Boeding {Yes}

4. LLD ASSESSMENT

The Finance Officer reported that the balance of LLD assessment is \$520,391. A request was made for the City to suspend the LLD assessment for 2011/2012. The City Attorney agreed that a portion of the balance could be surplus, but a determination should be made of what is a reasonable level of reserves. The assessment can be suspended until the balance level is lower than the reserves.

Steve Difu – 576 Sasa

Difu noted that the LLD has run under budget for three years.

Paul Backowski – LLD Committee

Paul said that although reserves are mentioned, expenses are not. There is currently an RFP out for maintaining the wetlands and the cost of this is unknown. He asked that the council hold off on deciding on the suspension until the cost of the wetlands is known

Craig Turco – Angels Camp Resident

Requested the council adhere to the recommendation from the city attorney to suspend the assessment but determine a reserve and surplus.

MOTION by Council Member Lynch, seconded by Council Member Raggio and carried 5-0
DIRECTING STAFF TO PROVIDE A SPECIFIC PROPOSAL FOR SUSPENSION OF LLD
ASSESSMENT, INCLUDING A DETERMINATION OF RESERVES AND SURPLUS
FUNDS

5. **SPHERE OF INFLUENCE**

The Planning Director gave the council an update on the history and progress of the sphere of influence. One argument UPUD has with the City's proposed sphere is that it overlaps the current boundary line of UPUD. This overlap consists of approximately 750 acres located in the southeast portion of the City. UPUD. Council Member Raggio suggested that an agreement be worked out with UPUD wherein the City gets the land and UPUD would still have water rights if the City ever annexes the land.

Joe Kelly – Angels Camp Resident

Spoke against the City's requested sphere of influence (attachment 'A').

George Fry – 308 Elderberry

Agreed with Mr. Kelly.

The Council directed the Planning Director to ask LAFCO to continue this item until further negotiations are done between UPUD and the City.

6. **CITY REPRESENTATIVE: CALAVERAS VISITORS BUREAU BOARD OF DIRECTORS**

MOTION by Council Member Lynch, seconded by Council Member Raggio and carried 5-0
APPROVING THE APPOINTMENT OF A CITY REPRESENTATIVE TO SIT ON THE
CALAVERAS VISITORS BUREAU BOARD OF DIRECTORS IN A NON-VOTING CAPACITY -
MEETINGS HELD THE SECOND TUESDAY OF EACH MONTH AT 8:30 am.

Meeting was adjourned at 8:30 PM.

Jack Boeding
Mayor

ATTEST:

Mary Kelly
City Clerk